Remarks

Claims 8 and 11 are canceled.

Claims 1-6 and 9 are amended.

Claims 15-17 are added.

Claims 1-7, 9-10 and 12-17 will be pending upon entry of this Amendment.

Amendments

Claims 1-5 are amended to now be aimed at a polyethylene-based thermoplastic polymer article. Support is found in original claim 11.

Claim 4 is further amended to change the name of the first antioxidant to the simpler common name. The common name is found on the bottom of page 5 of the disclosure.

Claims 6 and 9 are amended to be independent.

New claims 15-17 are aimed at the certain limitations displayed in the Rule 132 Declaration filed September 25, 2006. Component (a) is now the antioxidant found on the bottom page 5 of the disclosure (the name is slightly different in the Declaration). Component (b) is the three part mixture of phosphorus-containing antioxidants found in lines 10-16 of page 12 of the disclosure. Component (c) is α-tocopherol of original claim 3.

In claim 16, the weight ranges are from original claims 1 and 2.

Claim 17 is aimed as close as possible to the showing of the Thürmer Declaration. Only the weight ratio of component (a) to (c) is slightly different (1.1:1 vs. 1:1). Support is from original claims 1 and 2.

No new matter is added.

Claim Rejections

Claims 1-9 and 11-13 are rejected under 35 USC 103(a) as being unpatentable over DE3903218 in view of Keller, et al., U.S. Pat. No. 5,574,082, JP 62-158737 and Fukui, et al., U.S. Pat. No. 5,00,930.

Claims 1-14 are rejected under 35 USC 103(a) as being unpatentable over DE '218 in view of Keller, JP '737 and Fukui and further in view of Tamura, et al., U.S. Pat. No. 6,096,814.

Applicants respectfully traverse these rejections.

Applicants again point to the Thürmer Declaration filed September 25, 2006. Applicants submit that the data therein support the patentability of the present claims. The Samples are compared with respect to melt flow and yellowing after multiple extrusion passes. Samples 3 and 4, of the present invention, are unexpectedly superior to Samples 1 and 2 of the prior art.

The Examiner is not convinced by the results of the Thürmer Declaration.

Firstly, the Examiner states that the claims do not require repeated extrusion processes as shown in the Declaration. Present independent claims 1 and 6 do require that the thermoplastic be stabilized. Applicants submit that melt flow and yellowing after multiple extrusion testing are well known and accepted methods of determining the efficacy of stabilizers. Applicants submit that this concern is addressed.

The Examiner states that he does not see any unexpected result contrary to Applicant's assertion. Applicants submit that inventive Samples 3 and 4 are clearly superior to prior art Samples 1 and 2 of the prior art. The Declarant, an expert in the field, states so in the Declaration. The inventive Samples are clearly superior in regard to both retention of melt flow and degree of yellowing after multiple pass extrusion.

The Examiner states that SANDOSTAB P-EPQ employed in Samples 3 and 4 is not claimed; that is that the scope of the claims is broader than the showing. Applicants submit that the results of the Thürmer Declaration supports the present claims. Further, new claims 15-17 are aimed more exactly at where the components are those of the Declaration.

The Examiner states that the data are directed to a polyolefin composition and not a mixture of stabilizers. The present claims are amended to address this issue.

Applicants submit that in view of the present amendments and the above discussion, that the 35 USC 103(a) rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,

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